

ASSEMBLY BILL

No. 1529

Introduced by Assembly Member Pavley

February 21, 2003

An act to add Section 226.8 to the Labor Code, relating to labor standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 1529, as introduced, Pavley. Labor standards: meal and rest periods.

Under existing law, the Industrial Welfare Commission exists in the Department of Industrial Relations, and is required to issue orders necessary to regulate the wages, hours, and working conditions of employees. Pursuant to its authority, the commission has issued orders providing that, subject to specified exceptions, employees are entitled to meal periods and rest periods after working a specified number of hours. Employers who fail to provide an employee with a meal period or rest period as required must pay the employee one hour of pay for each workday that the meal period or rest period was not provided.

This bill would provide that the provisions of law pertaining to meal periods and rest periods for employees apply to nurses, medical center employees, and employees of health clinics, employed by a public institution that issues doctorate degrees in health care professions, subject to specified exceptions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 226.8 is added to the Labor Code, to
2 read:
3 226.8. The provisions of all orders of the Industrial Welfare
4 Commission regulating meal periods and rest periods of
5 employees apply to employees of a public institution that issues
6 doctorate degrees in health care professions, including, but not
7 limited to, medicine and dentistry, who are employed as nurses,
8 medical center employees, and employees of health clinics,
9 regardless of their occupational or industrial classification, except
10 for employees subject to exemptions for persons employed in
11 executive, administrative, or professional capacities. Nothing in
12 this section may be construed to exempt a public institution from
13 the provisions of an order of the commission otherwise applicable
14 to it.

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